Section XXIII

HISTORY OF THE MINNESOTA SUPREME COURT
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Among some of the other duties of this office not yet mentioned is the transfer of attorneys in good standing. These certificates are issued to Minnesota attorneys wishing to transfer their practice to some other state. And likewise attorneys coming to Minnesota from elsewhere are required to establish their right to practice before being admitted here.

There are also maintained on file here in our office the records of more than 31,000 cases -- representing the like work of the supreme court to date -- and they offer a much used source of reference.

While we were engaged in compiling information about supreme court attorney admissions an incident occurred which seems worth mentioning here. Now the mere time and labor spent in compiling such information might reasonably seem dull and uninteresting, however it didn't prove so in this case. Just how closely this work touched the lives of some can be gathered from the following incident.

We had completed about half this list of supreme court attorney admissions when a letter came into the office from California. In itself that wasn't unusual, but the contents, in some respects, were:

The writer began by telling us he was a very old man, was in fact confused as to his exact age and was now trying desperately to establish the legal date of his birth. Of his birthplace, he said, he had no idea, nor did he know of any one who might know. He then went on to tell us he was infirm and indigent, friendless and broken in spirit, that he had only a few more years in which to live. Could -- would we help him?

Of course, he hastened to explain, he didn't expect us to furnish him with a copy of his birth certificate; but if we [-1-] could help establish his age he would then be eligible to draw from the California old-age pension act, which act as to be soon operative.

He told us that years ago he lived in Minnesota. That he was a former attorney. That somewhere in our records might be some of his papers. Because he had been admitted to practice before the Minnesota supreme court!

... You're right. We gathered up every scrap of information we could find about him -- it was little enough, but fortunately his name with some data was already included in our half-finished list -- and forthwith sent it off to him. Here, in the office, we were all hoping that he would find the information of real benefit.

There also reaches this office, both by phone and mail, hundreds of other requests many of which are wholly misdirected. Not infrequently callers arrive here in person, after great inconvenience to themselves, only to find that our office

isn't the one to which their particular trouble should have been taken. At times these callers have come from some other part of the state, and their disappointment is great when they often learn that the proper place to make inquiry regarding the information they seek is the court house in their home town.

In many such instances we are powerless to be of service, in some we can set them on the right track by suggesting possible courses, and in some we can perhaps settle some one point in a series of questions. A number of these requests seeking information come by mail from outside the state, and some, surprisingly, come from a state asking about a point in question concerning yet another state.

As to the variety of inquiries reaching this office by phone, some are answerable, some not; some are pathetic, some amusing. They range from asking what county Bayfield, Wisconsin, [-2-] is in, to what time the St. Paul court house closes. Once a call came in advising us that if we would reduce the bail on a certain offender his friends would have no trouble in raising the smaller amount.

Recently a letter from a woman in Nebraska reached this office asking the cost of a peddlers' license in Minnesota, and informing us that the amount would be sent forward on our reply. She explained that she had been offered a good proposition in neckties, had taken it, and had decided to sell them in Minnesota, where, she understood, a peddlers' license was a pre-requisite. We handled this letter by properly re-directing it.

The above incident will appear to some a funny one, yet the line of reasoning which prompted the sending of this request to our office is easily understood, and not as much in error as might at first be imagined. Perhaps years ago, while canvassing locally from house to house, she had been required to first obtain a peddlers' license. She had procured this at one of the court offices in the local county court house. Now at this time, she wanted a license covering the whole state, and, therefore, surely the supreme court at the state capitol would be the place to get it.

Many such requests, which on their face appear foolish and ridiculous -- a waste of time to bother with -- often reveal themselves as logically sound when viewed with a little sober thought. And for that reason, here in the office, we treat all such inquiries seriously. Seriously, at least, until we are satisfied as to their worth.

Among the callers coming to our office are many seeking legal advice. At certain times of the year, Christmas and Fair time, they become even numerous. Not because they all come from out-of-town, but simply because when some of these visitors, at this time, are added to the usual number of local callers, the total increases greatly. [-3-]

The advice they seek runs the gamut of every subject, and is of every nature. In every instance, almost without exception, all we can do is to point out that the proper course is for them to consult an attorney. If they are hesitant about

selecting an attorney -- and this type of caller usually is -- we suggest that they enlist the aid of some relative or some close friend to assist them in selecting one.

Then we have the problem of humoring several harmless incompetents who make regularly spaced calls at our office to "see about their case". One has a "case" involving a huge damage award. It's cut and dried, so she says, and she cannot understand why the court's holding it up as it wouldn't take long for any judge to hand down a decision in so obvious a case. And at each call she beseeches this office "to hurry up and do something about it". We find it necessary in each of these problems to use a little different method of pacification; but at best it's trying.

And there's an avid historian who watches carefully over the supreme court. His visits occur at varying intervals. On occasion he takes up a position near the entrance to the supreme court chamber, stands silent with cap in hand for a long minute, then salutes sharply and begins to quote aloud in a chanting voice long passages from the constitution.

I ran across him thus before the chamber entrance one day.

"The doors are closed," he remarked. "Why?"

"The court is not in session," I answered. "The janitor probably hasn't got around to open them yet."

He peered at me slyly from eyes overbright. "Maybe, Mr. Gunderson, they're back there dividing up the money."

I reassured him, and passed on. But the vigil continued.

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We now leave the clerk's office to return for a final [-4-] glance at the supreme court. During 1936 the court heard 326 cases, 376 were appealed to it, and 353 decisions were handed down. These figures are applicable, of course, only to the work of the court for that year. Many of the decisions handed down were on cases heard toward the close of the previous year, while decisions are yet to be handed down on several of the cases heard during 1936. And a few of those appealed have been either withdrawn or dismissed.

During the past year only one decision from the 353 cases decided by this court was appealed to the United States supreme court, where this lone appeal was dismissed.

The record of the supreme court, since Minnesota's advent to statehood, speaks for itself. From its formative days, through its early history, on down through the succeeding years to the present, it has stood as a rock, unshaken by public, political, or personal storm. Its opinions stand as lucid examples of pure reasoning. Many have been quoted at length by justices of the United States supreme court, than which there is no finer tribute.

Throughout these 80 long years, the character of the court has continuously mirrored only the character of those who composed it. Among the justices gracing the bench have been found

many of the greatest men in Minnesota's history. Unselfishly, they have stood ever ready to serve.

Factually, there never have been law-givers such as are reverenced in history. Moses, Lycurgus and Solon took the customs of their time, gave them form and furnished better methods of securing their enforcement.

But how trivial their task compared to present day interpreters? Now, questions, touching on any point drawn from a maze and welter of involved legislation which yearly had so increased in volume that it now far surpasses that of any other nation on the globe, are often laid before the court with no thought but that a ready answer will be soon forthcoming.

So the august tribunal lives on. Standing as a bulwark [-5-] against unjust legislation, oppression and injustice, it dispenses true justice with a calm impartiality, meriting the utter confidence of the people.

By this confidence one gains a finer sense of empyreal beauty -- an appreciation for the truly worth while. And so, we decide, it's a grand and glorious feeling to be alive -- that the world's a great place to live in ... Particularly so, we remember, when it happens to be in Minnesota. [-6-]